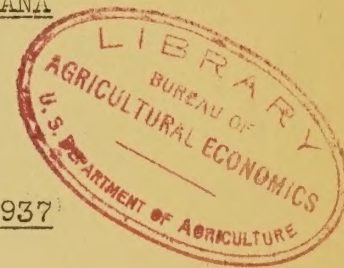


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no. 107UNITED STATES DEPARTMENT OF AGRICULTURE  
AGRICULTURAL ADJUSTMENT ADMINISTRATIONSOUTHERN DIVISIONCOUNTY OFFICE PROCEDURE FOR THE SUBMISSION OF  
LABORERS' CLAIMS FOR THE PAYMENT OF WITHHELD  
WAGES AND FOR THE PREPARATION AND SUBMISSION  
OF SUPPLEMENTAL AND ADJUSTMENT APPLICATIONS  
UNDER THE 1937 MAINLAND SUGARCANE PROGRAMAPPLICABLE ONLY IN THE STATES OF FLORIDA AND LOUISIANAPART I - LABORERS' CLAIMSSECTION 1 - INVESTIGATION OF LABORER'S CLAIM.A. REFERENCE TO FORM SC-1, "APPLICATION FOR PAYMENT, 1937  
MAINLAND SUGAR PROGRAM".

- (1) Pursuant to the provisions of SC-4, "Instructions For Filling Out Applications For Payment, Form SC-1, Supplement 1, thereto, and Form SC-4a", there should have been entered in Section IV of the application the names and, if known, the addresses of all laborers who had not been paid in full, at rates not less than those determined by the Secretary to be fair and reasonable for work performed in connection with the harvesting of the 1937 crop of sugarcane on the farming unit covered by the application.
- (2) Any laborer whose name or address was listed as "Unknown" when an application was prepared, and who later makes known his desire to receive the amount of unpaid wages due him, may make claim for such amount on Form SB-116, "Laborer's Claim For Payment of Wages", in accordance with Section 2 of this Part I.
- (3) Form SB-116 is to be used only in cases where a laborer's name or address was listed in an application as being unknown.
- (4) When a laborer writes to or appears before a County Agricultural Conservation Committee, (hereinafter referred to as county committee) representing himself to be entitled to an amount which was withheld because of unpaid wages, the county committee should make such investigation as is deemed necessary to determine whether the amount withheld for him under the related application is correct.



- (5) The county office copy of the application covering the farming unit on which the laborer claims to have worked shall be examined. If the amount claimed by the laborer exceeds the sum of the amounts listed in column (4), Section IV, of Form SC-1, opposite his name, it shall be determined whether the discrepancy is the result of an error in the execution of the application or of an overstatement on the part of the laborer of the amount due him. If a claim by any laborer exceeds the amount withheld for him under the application covering such farming unit, the amount of such claim in excess of the amount withheld will not be paid except in those cases where the producer(s) who has been overpaid refunds the amount of such overpayment, thereby increasing the amount withheld under the application.
- (6) If it is determined that an error was made in the application, an adjustment application and statement of claim shall be prepared and submitted to the State Office in accordance with the provisions of Part II hereof.
- (7) When the county committee determines that a laborer is entitled to an amount which has been withheld under an application, Form SB-116 shall be prepared in accordance with Section 2 of this Part I.

SECTION 2 - ALTERATION OF AND PREPARATION OF FORMS SB-116, "LABORER'S CLAIM FOR PAYMENT OF WAGES".

A. ALTERATION OF FORMS SB-116 AND SB-116a.

- (1) Delete the word "Beet" in the title of Forms SB-116 and SB-116a and insert the word "Cane" immediately below such deletion.
- (2) Delete the word "beet" in Section I of Forms SB-116 and SB-116a and insert the word "cane" immediately below such deletion.
- (3) Delete the word "beet" in the second line of the printed matter in Section II of Forms SB-116 and SB-116a and insert the word "cane" in the margin to the right of such deletion.
- (4) Delete the word "Beet" in line three of the printed matter in Section II of Forms SB-116 and SB-116a and insert the word "Cane" immediately below such deletion.



B. PREPARATION OF FORMS SB-116 AND SB-116a.

- (1) Form SB-116 shall be prepared in quadruple (original and three copies). The original shall be on Form SB-116 (white) and three copies shall be on Form SB-116a (yellow).
- (2) Enter in the space provided in the upper right corner the State and County code and serial number. The serial number to be assigned to Form SB-116 shall be the same as the serial number of the application covering the farming unit on which the claimant (laborer) worked, except that it shall be followed by the letter a, b, c, etc., depending on the number of laborers' claims previously filed with respect to the same farming unit. For example, the first Form SB-116 filed with respect to the farming unit covered by an application serially numbered 428 shall be assigned serial number 428a; the ~~second~~ Form SB-116 filed with respect to the same application shall be assigned 428b; the third, 428c; etc.
- (3) Type or print the name of the claimant (laborer) in the space provided therefor in the upper right corner.
  - (a) Enter on the first line the amount due the laborer for work performed in the harvesting of the 1937 sugarcane crop.
  - (b) Enter in the space provided in Section I the name of the operator-producer on the farming unit on which such work was performed.
  - (c) Enter in the space provided therefor the mail address of the laborer.
  - (d) The laborer shall be requested to sign in the space provided therefor in Section I of the original of Form SB-116. The date of the signing shall be entered in the space provided immediately to the left of the space for signature.
  - (e) If the laborer signs by mark, such signature must be witnessed.
  - (f) It may be desirable that the laborer appear at the county office for the purpose of signing Form SB-116. However, if such laborer is unable to call at the county office, Form SB-116 may be mailed to him.



- (4) Enter in Section II of Form SB-116 in the space provided therefor the State and County code and serial number of the application covering the farming unit on which the laborer performed the work with respect to which he is making claim for payment.)
- (5) Only the producer(s) from whose payment the amount claimed was deducted need sign in Section II of SB-116. If all or part of the amount due the laborer was deducted from the payment for a producer(s) who has since died, or who has moved from the community and cannot be located, the signature of some other producer on the farming unit who is familiar with the facts in the case shall be obtained in Section II. The date of signing shall be entered immediately to the left of each signature in Section II.
- (6) Any additional information which the county committee deems to be pertinent to the claim shall be entered in Section III in the space following the words "Additional Certification", including a full explanation as to the status of the person or persons who sign in Section II. If there is insufficient space in Section III for the additional certification, a separate sheet of paper, identified by State and County code and serial number of the Form SB-116 shall be used for such certification and shall be securely fastened to Forms SB-116 and SB-116a. 1/
- (7) When signatures have been obtained in Sections I and II in accordance with the foregoing instructions, the county committee should examine Forms SB-116 and SB-116a carefully to see that they have been properly prepared. The county committee shall determine that any correction made in Section I with respect to the amount of the claim has been initialed by the laborer who signed in Section I and by the producer(s) who signed in Section II. Any correction made with respect to any other data on Forms SB-116 and SB-116a shall be initialed by a member of the county committee.
- (8) When Forms SB-116 and SB-116a are found by the county committee to be correct, a member of the county committee who is authorized to act on behalf of the committee shall sign in the space provided therefor in Section III.

1/ If the laborer's claim exceeds the amount withheld for him and one or more producers have been overpaid by the amount by which the laborer's claim exceeds the amount withheld for him, the claim may be accepted and paid in full if the producer(s) refunds the amount(s) of the overpayment to such producer(s). If the amount claimed by a laborer differs from the sum of the amounts shown opposite such laborer's name in column 4 of Section IV of the related Form SC-1, an explanation by the county committee should appear in Section III of Form SB-116.



(9) The copies of the claim shall be distributed as follows:

- (a) The original and one copy of the claim shall be forwarded to the State Office in accordance with Section 4 of this Part I.
- (b) One copy of the claim shall be attached to the county office file copy of the related application.
- (c) The remaining copy of the claim shall be given to the laborer (claimant).

SECTION 3 - CASES INVOLVING DECEASED OR INCOMPETENT LABORERS

A. CLAIMS BY HEIRS OR BY THE REPRESENTATIVE OF THE ESTATE OF THE DECEDENT OR THE INCOMPETENT LABORER.

- (1) If a sugarcane laborer to whom wages are due, whose name or address was unknown at the time the application for payment was prepared, dies before Forms SB-116 and SB-116a are prepared, and if his heirs or a representative of the estate of such laborer or of his heirs, presents a claim for the amount due such deceased laborer, Forms SB-116 and SB-116a shall be prepared and shall be signed in Section I by the person(s) making the claim.
- (2) The person(s) making the claim for payment shall execute Standard Form No. 1055, "Application For Payment Of Amounts Due Deceased Or Incompetent Civilian Employees, Officers And Enlisted Men In The Military Service And Public Creditors Of The United States". Such form shall be executed in the manner set forth in SRC-101, as amended, except that paragraph 3 shall be executed and paragraph 4 and items (b), (c), (d), and (e) under paragraph 6 need not be executed. No creditors of the decedent may claim any part of the payment due such decedent. The amount claimed in paragraph 3 of Standard Form No. 1055 should be the same as the amount appearing in Section I of the related Form SB-116.
- (3) If a laborer has been declared incompetent by a court of competent jurisdiction before presenting a claim for payment of wages due him, the legally appointed guardian or committee of the estate of such incompetent laborer should execute Forms SB-116 or SB-116a. In such case, as in the case of a deceased laborer, Standard Form No. 1055 must be executed as provided in paragraph (2) of this Section 3.



- (4) If a check is issued payable to the order of a laborer who executed Forms SB-116 and SB-116a and if such laborer dies before cashing such check,
  - (a) The check shall be returned to the Regional Disbursing Office pursuant to the applicable provisions of SRC-101, as amended.
  - (b) Claim for the proceeds of such check may be made by the heirs of the decedent or by the representative of the estate of the decedent or of his heirs, on Standard Form No. 1055. Such claim shall be handled in the same manner as similar claims are handled under the Agricultural Conservation Program, except that no claim of creditors of the decedent will be recognized. If claim is filed pursuant to this paragraph (4), (b), paragraph 4 of Standard Form No. 1055 shall be executed, inasmuch as paragraph 3 thereof is inapplicable. Items (b), (c), (d), and (e) under paragraph 6 thereof are also inapplicable.
- (5) If a laborer is declared incompetent after a check has been issued payable to his order, claim for the proceeds of such check may be made on Standard Form No. 1055 by the guardian or committee of the estate of such laborer who was declared incompetent.

SECTION 4 - TRANSMITTAL OF FORMS SB-116 and SB-116a TO THE STATE OFFICE

A. TRANSMITTAL SHEET.

- (1) The county committee shall use the same transmittal sheet as that used in transmitting Forms SC-1 to the State Office, and shall prepare such transmittal sheet in the same manner, except that in lieu of the letter "S" preceding the transmittal number, the words "Sugarcane Labor Claims" shall be entered.
- (2) Standard Forms No. 1055, if any, shall be attached to the related Forms SB-116 and SB-116a when forwarded to the State Office.

PART II - SUPPLEMENTAL AND ADJUSTMENT APPLICATIONS UNDER THE 1937 MAINLAND SUGARCANE PROGRAM.

SECTION 1 - PREPARATION OF SUPPLEMENTAL APPLICATIONS.

A. FORM SC-1.



- (1) If the signature(s) of one or more producers on a farming unit could not be obtained on an application for payment prior to submission of such application to the State Office, and if one or more of such producers is subsequently located and indicates his desire to make application for his share of the payment, a supplemental application shall be prepared.
- (2) Such supplemental application shall be completed in every detail except that it need not be signed by the producers who signed the original application.
- (3) The serial number assigned to such supplemental application shall be the same as the serial number assigned to the original application, and it shall be followed by the abbreviation "Sup.". The supplemental application shall be approved by a member of the county committee and by the secretary of the County Agricultural Conservation Association (hereinafter referred to as association secretary).
- (4) If an adjustment application has been filed as hereinafter provided, any supplemental application shall be prepared on the basis of the adjustment application.
- (5) Supplemental applications shall be carefully compared with the county office file copy of the related application to determine that no error has been made in the preparation thereof.

## SECTION 2 - ADJUSTMENT APPLICATIONS.

### A. ERRORS IN APPLICATIONS OTHER THAN ERRORS IN SECTION IV THEREOF.

- (1) If it is determined that an error, other than an error in Section IV thereof, was made in the preparation of Form SC-1, and if checks have been issued but remain undelivered, the case shall be handled as follows:
  - (a) If the check is drawn in an amount greater than the amount to which the producer is entitled, such check shall be returned to the Disbursing Office and an adjustment application shall be prepared as hereinafter provided.
  - (b) If the check is drawn in an amount less than that to which the producer is entitled, the check should be delivered to the producer and such producer should be advised that acceptance and negotiation thereof will not jeopardize his right to claim any additional amount due him.



- (2) If, as the result of an error other than an error in Section IV of Form SC-1, a check is issued in a greater amount than that due the payee, and if such check has been delivered and negotiated, the overpaid person should be requested to refund the amount of the overpayment. The State Office should be advised of the amount and nature of the overpayment and of the action taken to obtain the refund.

B. ERRORS IN SECTION IV OF FORM SC-1.

- (1) If it is determined that an error was made in Section IV of a Form SC-1 and if checks have been issued thereunder, but not delivered, the case shall be handled as follows:
  - (a) If it is known that the amount due a producer or a laborer is greater than the amount for which the check is drawn, such check may be delivered and an adjustment application shall be prepared.
  - (b) If it is known that the amount due a producer or laborer is less than the amount for which the check is drawn, such check shall be returned to the Disbursing Office and an adjustment application shall be prepared, unless it is possible to effect a settlement without the necessity of returning checks to the Disbursing Office. For example, if the check due a laborer was drawn in an amount less than that due and the check to the producer was in excess of the amount due by the same amount and if the producer, after execution of the application, paid to the laborer the difference between the amount actually due the laborer and the amount for which the check in favor of such laborer was drawn, the checks to both parties may be delivered, provided that a receipt in duplicate is obtained from the laborer establishing the fact that the amount of the check, plus the amount received from the producer constitutes payment in full for labor performed in connection with the harvesting of the 1937 sugarcane crop. One copy of the receipt should be forwarded to the State Office, the other being retained in the county office as a permanent record.

C. PREPARATION OF ADJUSTMENT APPLICATIONS AND STATEMENTS OF CLAIMS.

- (1) Adjustment applications shall be prepared as outlined in SC-4, "Instructions For Filling Out Applications For Payment, Form SC-1, Supplement 1, thereto, and Form SC-4A". The serial number assigned to an adjustment



application shall be the same as the serial number of the related application, and it shall be followed by the abbreviation "Adj."

- (2) Whenever an adjustment application is prepared, the original and one copy of a statement shall be attached to the application. Such statement shall set forth the nature of the error on the original application and how it occurred, the numbers and amounts on checks issued under the related application, and the disposition made of the checks issued under the related application, and the amounts, if any, still due producers and/or laborers under the application.
- (3) The adjustment application and the statement must be signed by all producers whose payments are affected by the error, and by a member of the county committee and the association secretary.
- (4) In the case of error in Section IV of Form SC-1 the following instructions relative to signatures of producers are applicable:
  - (a) If the payment to one or more laborers is to be increased, the adjustment application and the statement need not be signed by any producer from whose payment no additional amount was deducted or is to be deducted for payment to the laborer or laborers.
- (5) If the payment to one or more laborers is to be reduced, the related statement must be signed by the laborer(s) whose payment is to be reduced, except that in the event the name or address of any such laborer is unknown, the statement must be signed by all producers on the farming unit and by each available laborer whose payment is reduced.

D. TRANSMITTAL OF SUPPLEMENTAL AND ADJUSTMENT APPLICATIONS TO STATE OFFICE.

- (1) Form SR-115, "Transmittal Sheet", should be prepared in quadruple. The word "Supplemental" shall be typed at the top of the transmittal sheet listing supplemental applications. Otherwise, the transmittal sheets prepared for supplemental applications shall be prepared in the same manner as for regular applications.
- (2) Adjustment applications shall not be listed on a transmittal sheet, but shall be accompanied to the State Office by a short letter or memorandum of transmittal.



